

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Michael J. Rhodus,

Plaintiff,

v.

Case No. 1:18cv314

Chae Harris, *et al.*,

Judge Michael R. Barrett

Respondents.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on June 4, 2018 (Doc. 4).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 4) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, the claims in the Complaint (Doc. 1) are dismissed pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b)(1) with the exception of plaintiff's claim that Story, Swain, Ray, and Vetere violated his Eighth and Fourteen Amendment rights by targeting him because of his sexual orientation and jeopardizing his safety by humiliating him and/or calling him a snitch in front of the other inmates, and his claim that defendants Ray and Vetere retaliated against him for making complaints against

Story and Swain.

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

IT IS SO ORDERED.

s/Michael R. Barrett

Michael R. Barrett
United States District Judge